

Draft of 3/6/2013

Chadds Ford Township
Delaware County, PA

Board of Supervisors' Special Meeting
Thursday, January 24, 2013
5:00PM

Officials Present:

Deborah F. Love, Chair
George M. Thorpe, Vice Chairman
Keith C. Klaver, Supervisor
Judy Lizza, Manager
Hugh A. Donaghue, Solicitor
Joseph A. Mastronardo, Engineer
Matt DiFilippo, Secretary

Call to Order

Chair Love called the Special Meeting to order at 5:04pm, which concerned the Township Tax Collector Compensation. Vice Chairman Thorpe reviewed the emergency exits, and Secretary DiFilippo was asked to provide proof of publication that the Special Meeting had been publicly advertised. Chair Love reported that three emails, from Bruce Prabel, Frank Murphy and Rick Eckman, regarding the Township Tax Collector Compensation were received by the Board and would be entered into the record (they are attached to these minutes). Chair Love also explained that although the Township Tax Collector Compensation topic had been discussed for the past year, the vote had been delayed until this evening of the Special Meeting, January 25, 2013 because the entire Board was not prepared to approve a Resolution until now. Chair Love thanked the three Residents for their emails, and Vice Chairman Thorpe and Supervisor Klaver both reported that they responded to Rick Eckman's email.

Public Comment

Samantha Reiner, Webb Road, mentioned a past situation concerning Edgmont Township and its Tax Collector and Deputy Tax Collector.

Noelle Barbone, Bellefair Lane, expressed her concern with cutting the Tax Collector's compensation by 50%.

Marc Altman, Spring Lane, asked for further explanation of all of the Tax Collector's responsibilities and duties.

Supervisor Klaver reported that the PA Tax Collector's manual helps one to understand the scope of the position, and deferred to current Tax Collector Valerie Hoxter or Bruce Prabel, past Tax Collector, to further clarify the duties of the Township Tax Collector. Chair Love asked Valerie Hoxter or Bruce Prabel if they wanted to add anything.

Valerie Hoxter, Tax Collector, described the job, the procedures, communication and customer service.

Marc Altman, Spring Lane, Solicitor Donaghue, Samantha Reiner, Webb Road, Noelle Barbone, Bellefair Lane, and Bruce Prabel, Heyburn Road all commented on fiduciary responsibility of the Tax Collector; and, the bank account, which the Township Tax Collector oversees.

Paul Koch, Baltimore Pike, talked about fiscal responsibility.

Debbie Reardon, Tally Ho Drive, gave an example of her interaction with the Township Tax Collector and her support of the Tax Collector.

Mary Kot, Carnation Lane, expressed her concern over dramatically reducing the Tax Collector's compensation.

Rob King, Ring Road, asked the current Tax Collector, Valerie Hoxter, what hours she put it. Valerie Hoxter responded.

Bruce Prabel, Heyburn Road, expressed his concern over a drastic reduction in Tax Collector compensation and a possible reduction in duties and responsibilities.

Supervisor Klaver clarified the decision making process of the Supervisors and the impact five years ago from the significant increase for the Open Space Tax; furthermore, Bruce Prabel, Heyburn Road, Chair Love, and Vice Chairman Thorpe discussed neighboring Township's Tax Collector's compensation and outsourcing Township Tax Collector's duties to third-party Tax Collection agencies.

Bruce Prabel, Heyburn Road, suggested that a resolution was proposed to take away the Tax Collector's powers and given to a third-party tax collection agency.

Solicitor Donaghue responded that no one ever suggested taking the Township Tax Collector's powers away, and that only the elected Township Tax Collector can do that by hiring a Deputy.

Solicitor Donaghue clarified that what outside agencies do was taken into consideration to help in the decision making process.

Vice Chairman Thorpe emphasized that nowhere has anyone ever said or accused the current Township Tax Collector or the previous Tax Collector of doing an unadmirable job, and further clarified that the discussion is not about the Tax Collector, rather the position's compensation.

Bruce Prabel, Heyburn Road, commented on the Pennsylvania State Law concerning the Tax Collector position, and the manual suggesting that the compensation cannot be decreased. Solicitor Donaghue responded that case law must be taken into consideration and the decisions made by taxing authorities in multiple cases throughout the state, and that decisions need to be made by February 15 of the election year. Bruce Prabel, Heyburn Road and Valerie Hoxter,

Painters Crossing, both commented to the contrary. Vicki Hoxter, Painters Crossing, commented on due diligence and comparative Tax Collector compensations. Supervisor Klaver interjected that the Board of Supervisors had legal counsel on the issue. Manager Lizza reported that she brought up this topic with the group of consortium of Township Managers she belongs to, and that the information she received was shared with the Board of Supervisors to help in their decision-making process.

Paul Koch, Baltimore Pike, said that he doesn't want the Board of Supervisors to take action to reduce the compensation if it does not create incentive to do the job well. Valerie Hoxter, Painters Crossing, also commented and said that compensation helps keep the integrity of the position. Tax Collector Hoxter also expressed her discontent that her opinion and former Tax Collector Prabel's opinions were not solicited more thoroughly, and that due diligence wasn't done by the Board of Supervisors.

Bruce Prabel, Heyburn Road, re-emphasized his point that reducing compensation without reduction in services offered by the Tax Collector isn't fair.

Resolution 2013 – 12

Chair Love summarized Resolution 2013 – 12 and requested a vote by the Board of Supervisors.

Vice Chairman Thorpe commented on due diligence, the increase in Tax Collector compensation because of the passing of the Open Space Fund, research done on neighboring Townships and Boroughs of Delaware County the their Tax Collectors' compensations, legal advice, and that nowhere had he said he'd decrease the Tax Collector's compensation by 50%.

Bruce Prabel, Heyburn Road, stated that the quote from Keystone Collects to collect Real Estate taxes is not a valid quote.

Solicitor Donaghue proposed the resolution.

Supervisor Klaver commented that Bruce Prabel had made a lot of valid points, and that he appreciated getting dialogue from the community. From his prospective the Board needs to exercise fiduciary responsibility and take into consideration every expenditure. Supervisor Klaver also noted that the proposed compensation for the Township Tax Collector move to a per parcel basis instead of a percentage of revenues under the prior method. He suggested a model of \$4.50 per tax bill, \$4.50 per interim bill, and \$4.50 per late notice, with an additional amount of \$4,000 per year, taking the compensation to, around, \$13,000 per year, plus any expenses incurred by the Tax Collector.

Chair Love thanked the audience for their input. She also commented that the Board has taken the residents' opinions into consideration, even though the Board has received mixed messages from the residents at times, and that she believes the Board has come to an excellent compromise.

Vice Chairman Thorpe commented on the criticism he has received from residents, as well.

Solicitor Donaghue read Resolution 2013 – 12, proposing Tax Collector compensation to be set at \$4.50 per tax bill, \$4.50 per interim bill, and \$4.50 per late notice, as well as an additional compensation of \$2,000 to be paid on February 1 and \$2,000 to be paid to the Tax Collector on November 1, and expenses incurred beginning January 1, 2014.

Upon motion without a second (Klaver) the motion was tabled.

There was discussion and a second motion was introduced compensating the Tax Collector at \$4.00 per tax bill.

Upon motion without a second (Thorpe) the motion was tabled.

There was discussion and a third motion was introduced by Chair Love compensating the Tax Collector at \$4.25 per regular bill, \$4.25 per interim bill and \$4.25 per late notice.

Bruce Prabel, Heyburn Road, and Valerie Hoxter, Painters Crossing, Chair Love and Supervisor Klaver all commented on comparing compensation for regular bills, interim bills and late notices.

After discussion, a fourth motion was introduced by Chair Love compensating the Tax Collector at \$4.25 per regular bill, \$4.50 per interim bill and \$4.25 per late notice.

Discussion continued among Bruce Prabel, Heyburn Road, Solicitor Donaghue, Valerie Hoxter, Painters Crossing, Vice Chairman Thorpe and Chair Love.

After discussion a fifth motion was introduced compensating the Tax Collector at \$4.25 per regular bill, \$4.50 per interim bill and \$4.50 per late notice.

Upon motion and second (Thorpe/ Klaver) the BOS unanimously approved the Chadds Ford Township Tax Collector compensation beginning January 1, 2014 to be set at \$4.25 per tax bill, \$4.50 per interim bill and \$4.50 per December late notice, plus expenses incurred as well as \$2,000 paid February 1 and \$2,000 paid November 1. Resolution 2013 – 12 was passed.

Vicki Hoxter, Painters Crossing, asked the Board why they didn't solicit the current Tax Collector and the previous Tax Collector's opinion.

Adjournment

Upon motion and second (Klaver/ Love) the meeting was adjourned at 7:15PM.

Respectfully submitted,

Matt DiFilippo, Secretary